

A Regular Meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the nineteenth day of July 2006, at 7:30P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman  
Rebecca Anderson, Chairman  
John Gober, Member  
Lawrence Korzeniewski  
Michael Myszka, Member  
Steven Socha, Member  
Melvin Szymanski, Member

EXCUSED: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant - Wm. Schutt & Associates  
Jeffrey H. Simme, Building & Zoning Inspector  
John Dudziak, Deputy Town Attorney  
Mary Nowak, Recording Secretary

July 19, 2006

Planning Board Members: Stanley J. Keysa, Chairman  
Rebecca Anderson  
John P. Gober  
Lawrence Korzeniewski  
Michael Myszka  
Steven Socha  
Melvin Szymanski

Town Board Members: Robert H. Giza  
Daniel Amatura  
Mark A. Montour  
Ronald Ruffino, Sr.  
Donna G. Stempniak

Engineering Consultant: Robert Harris, Wm. Schutt & Associates

Deputy Town Attorney: John M. Dudziak

Highway Superintendent: Richard L. Reese, Jr.

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held July 19, 2006. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Stanley J. Keysa  
Planning Board Chairman

SJK:mn  
Encl.

Meeting called to order by Chair Keysa at 7:34 PM. Motion was made by Rebecca Anderson to approve the minutes from the June 21, 2006 Planning Board Meeting with the following correction: REZONE PETITION - PARK LANE APARTMENTS, LLC, 6105 TRANSIT ROAD, SUITE 140 - Marc Dean, Dean-Sutton Architects, David Huck, Michael Fitzpatrick, and Brett Fitzpatrick, partners presented to the Planning Board the plans for the proposed rezone of the 16-acre parcel located behind Kohl's Dept. Motion was seconded by Melvin Szymanski and unanimously carried.

PLEDGE OF ALLEGIANCE

COMMUNICATIONS -

## **ACTION ITEMS -**

**PRELIMINARY REVIEW - WINDING WAY - 3 SINGLE-FAMILY LOTS. SCHUSTER CONSTRUCTION COMPANY, P.O. BOX 461, LANCASTER, NY.**

Thomas Schuster, owner of Schuster Construction Company, presented to the Planning Board the preliminary plan review for the three-lot mini subdivision on Winding Way. There was some discussion as to whether Winding Way will connect with the subdivision to the west. Mr. Schuster told the Planning Board that he does not own the 5-acre parcel to the west of these three lots and that he does not know if the owner of that parcel has any plans for interconnection with the subdivision to the west. Member Szymanski asked the applicant whether there were wetlands in the corner of lot #3. Mr. Schuster stated that the area that appears to be wetlands was probably a result of all the previous construction on Winding Way. He also stated that no wetlands delineation has been done. The Planning Board stated that a wetlands delineation will need to be done for all three lots, and will need to be approved by the Army Corps of Engineers. Drainage - Mr. Schuster provided the Planning Board with a letter from the developer of Whispering Pines Subdivision stating that he has agreed that the rear yard drainage of this 3-lot mini subdivision will be tied into the Whispering Pines storm drain. The Planning Board stated that the Town Engineer will need to review the compatibility of the two drainage systems and report to the Town Board. Sidewalks - The existing sidewalks along Winding Way are 4 feet wide. The Planning Board stated that the width of the sidewalks for these three lots should also be 4 feet wide and not the current 5-foot standard width.

## **DETERMINATION**

Based on the information presented to the Planning Board, Melvin Szymanski made a motion to recommend approval of the preliminary review to the Town Board with the following conditions: 1.) Wetlands delineation to be done on all three lots and must be approved by Army Corps of Engineers; 2.) Town Engineer to review the compatibility of the two drainage systems and report to Town Board. Motion seconded by John Gober and duly carried by a vote of six ayes and one nay ( Member Anderson).

REZONE PETITION - ANTHONY INSINNA, WNY REAL ESTATE GROUP LLC. PRESENT USE VACANT LAND, PRESENT ZONING R-1, PROPOSED ZONING NB, PROPOSED USE OF PREMISES CHILD DAY CARE CENTER, OWNER OF PREMISES HILLVIEW BAPTIST CHURCH.

Anthony Insinna, WNY Real Estate Group, presented to the Planning Board the rezone petition for the 1.66-acre western portion of the parcel at 26 Rehm Road. The current zoning of this property is R-1, the proposed zoning is NB. The proposed use of the premises will be for a child day care center. The plan shows the proposed day care center will be a residential-style building so as to fit in with the surrounding neighborhood. The playground next to the building will abut the residential homes. Mr. Insinna stated that if the neighbors prefer that the playground be placed on the other side of the building, the plan can be changed. The south side of the building will be screened with landscaping. Hours of operation will be 6:30 AM to 6:30 PM, Monday through Friday. Mr. Insinna told the Planning Board that this property will be accessed by the private road owned by the Hillview Baptist Church. Pastor Nelson McCall of the Hillview Baptist Church said that the church has agreed to an easement to the private road. The Planning Board stated that proof of access to the private road by a perpetual easement will need to be provided to the Town Board. Since the private road can be accessed from the Tops plaza parking lot, customers for the day care center can use the signal at the Tops plaza.

DETERMINATION

Based on the information presented to the Planning Board, Michael Myszka made a motion to recommend approval of the rezone to the Town Board with the condition that the applicant must provide to the Town Board proof of access to the private road by perpetual easement. Motion seconded by Lawrence Korzeniewski and unanimously carried.

OTHER MATTERS -

Chair Keysa referred to Com. 7-19-14 and asked the Planning Board members if they were interested in adding this book, Planning and Urban Design Standards to the Planning Board library. The cost would be about \$170.00. The Planning Board looked over the brochure and decided not to purchase the book.

Chair Keysa referred to Com. 7-5-16 which included a CD version of the report Framework for Regional Growth. The CD will be circulated among the Planning Board members and will become part of the Planning Board library. Member Lawrence Korzeniewski took the CD to review.

Town Engineer Robert Harris provided Chair Keysa with a draft list of minimum requirements for patio home developments in the Town of Lancaster. The Planning Board went over the list and returned it to Mr. Harris for additional requirements. Chair Keysa stated that this draft list will become part of a set of clear specifications for patio home developments.

Nicholas Heights Subdivision - Chair Keysa told the Planning Board that the subdivision map for the Nicholas Heights Subdivision has been revised. The revised map shows the stub street on the east side of the project removed. The Town Board has accepted the revision. The removal of the stub street will eliminate the possibility of any future connection with the adjacent property. Councilmember Donna Stempniak told the Planning Board that the owner of the adjacent property to the stub street was not in favor of a connection and that the neighbors were in favor of the removal of the stub street. The Planning Board members expressed their concern about the

removal of the stub street. Member Anderson stated that she was very disappointed with the Town Board's allowing this change. Chair Keysa stated that only the developer will benefit from this revision because an additional house will be built on the parcel that was the stub street. He also stated that this does not make sense. Following a brief discussion, Rebecca Anderson made a motion to authorize and direct Chair Keysa to write a letter to the Town Board expressing the Planning Board's concern in this matter. Motion was seconded by Lawrence Korzeniewski and unanimously carried.

Pleasant Meadows Patio Home Development - Councilmember Donna Stempniak told the Planning Board that Marrano developers has designed a new plan for the common area in this patio home development. The new plan shows an oval walking path around the common area with the walking path connecting across the middle of the common area. There will also be a gazebo in the common area.

At 8:35 PM Rebecca Anderson made a motion to adjourn the meeting. Motion seconded by Steven Socha and unanimously carried.